

**EIGHTY-THIRD GENERAL ASSEMBLY
2009 REGULAR SESSION
DAILY
HOUSE CLIP SHEET**

MARCH 3, 2010

HOUSE FILE 2322

H-8323

1 Amend House File 2322 as follows:

2 1. By striking page 1, line 23, through page 3,
3 line 4.

4 2. Title page, by striking lines 2 through 4
5 and inserting <certain duties and programs of the
6 authority.>

By SCHUELLER of Jackson

H-8323 FILED MARCH 2, 2010

H-8302

1 Amend the amendment, H-8270, to House File 2381 as
2 follows:

3 1. Page 1, after line 31 by inserting:

4 <____. Page 1, after line 17 by inserting:

5 <Sec. _____. Section 123.49, subsection 2, paragraph
6 b, Code 2009, is amended to read as follows:

7 b. (1) Sell or dispense any alcoholic beverage or
8 beer on the premises covered by the license or permit,
9 or permit its consumption thereon between the hours
10 of two a.m. and six a.m. on a weekday, and between
11 the hours of two a.m. on Sunday and six a.m. on the
12 following Monday, ~~however~~. However, a holder of a
13 liquor control license or retail beer permit granted
14 the privilege of selling alcoholic liquor or beer on
15 Sunday may sell or dispense alcoholic liquor or beer
16 between the hours of eight a.m. on Sunday and two a.m.
17 on the following Monday.

18 (2) For a class "E" liquor control license issued
19 for a premises at which gasoline is sold, sell any
20 alcoholic liquor on the premises covered by the license
21 thereon between the hours of twelve a.m. and six a.m.
22 on a weekday, and between the hours of twelve a.m. on
23 Sunday and six a.m. on the following Monday. However,
24 a holder of a class "E" liquor control license issued
25 for a premises at which gasoline is sold and granted
26 the privilege of selling alcoholic liquor on Sunday may
27 sell alcoholic liquor between the hours of eight a.m. on
28 Sunday and twelve a.m. on the following Monday.>

29 _____. Page 1, line 21, by striking <allow> and
30 inserting <do any of the following:

31 (1) Allow>

32 _____. Page 1, after line 23 by inserting:

33 <(2) Permit the sale of alcoholic liquor in
34 containers of less than seven hundred fifty milliliters
35 except from a locked cabinet or from behind a sales
36 counter where the public is unable to reach the product
37 and where the public is not permitted.

38 (3) Permit the sale of alcoholic liquor in
39 containers of seven hundred fifty milliliters or more
40 except from a location that is in plain sight of the
41 sales counter of the licensed premises.

42 Sec. _____. SUBSTANCE ABUSE TREATMENT AND PREVENTION
43 FUNDING. It is the intent of the general assembly that
44 any increase in revenue generated from the proceeds
45 from class "E" liquor control licenses for premises
46 at which gasoline is sold pursuant to section 123.36,
47 subsection 9, as enacted by this Act, be appropriated
48 to the department of public health to be used for
49 substance abuse treatment and prevention. >>

50 2. By renumbering as necessary.

By BAILEY of Hamilton

HOUSE FILE 2381

H-8306

1 Amend the amendment, H-8270, to House File 2381 as
2 follows:

3 1. Page 1, line 6, by striking <thousand feet> and
4 inserting <mile>

By ZIRKELBACH of Jones

H-8306 FILED MARCH 2, 2010

H-8304

1 Amend House File 2439 as follows:

2 1. By striking everything after the enacting
3 clause and inserting:

4 <Section 1. Section 80A.13, Code 2009, is amended
5 to read as follows:

6 80A.13 Campus weapon requirements.

7 An individual employed by a college or university,
8 or by a private security business holding a contract
9 with a college or university, who performs private
10 security duties on a college or university campus and
11 who carries a weapon while performing these duties
12 shall ~~meet all of the following requirements:~~

13 ~~1. File with the sheriff of the county in which~~
14 ~~the campus is located evidence that the individual has~~
15 ~~successfully completed an approved firearms training~~
16 ~~program under section 724.9. This requirement does not~~
17 ~~apply to armored car personnel.~~

18 ~~2. Possess a permit to carry weapons issued by the~~
19 ~~sheriff of the county in which the campus is located~~
20 ~~under sections 724.6 through 724.11. This requirement~~
21 ~~does not apply to armored car personnel.~~

22 ~~3. File~~ file with the sheriff of the county in
23 which the campus is located a sworn affidavit from
24 the employer outlining the nature of the duties to be
25 performed and justification of the need to go armed.

26 Sec. 2. Section 724.4, Code 2009, is amended to
27 read as follows:

28 724.4 Carrying weapons.

29 1. Except as otherwise provided in this section, a
30 person who goes armed with a dangerous weapon ~~concealed~~
31 ~~on or about the person, or who, within the limits of~~
32 ~~any city, goes armed with a pistol or revolver, or~~
33 ~~any loaded firearm of any kind, whether concealed~~
34 ~~or not, or who knowingly carries or transports in a~~
35 ~~vehicle a pistol or revolver, commits an aggravated~~
36 ~~misdemeanor with the intent to commit a crime of~~
37 ~~violence commits a class "D" felony. This subsection~~
38 ~~applies regardless of whether the dangerous weapon~~
39 ~~is concealed or not concealed on or about the person~~
40 ~~and regardless of whether the dangerous weapon is~~
41 ~~transported in a vehicle. For purposes of this~~
42 ~~subsection, "crime of violence" means a felony which~~
43 ~~has, as an element of the offense, the use of physical~~
44 ~~force by one person against another person.~~

45 2. A person who goes armed with a knife concealed
46 on or about the person, if the person uses the knife
47 in the commission of a crime, commits an aggravated
48 misdemeanor.

49 3. A person who goes armed with a knife concealed
50 on or about the person, if the person does not use the

1 knife in the commission of a crime:

2 a. If the knife has a blade exceeding eight inches
3 in length, commits an aggravated misdemeanor.

4 b. If the knife has a blade exceeding five inches
5 but not exceeding eight inches in length, commits a
6 serious misdemeanor.

7 4. Subsections 1 through 3 do not apply to any of
8 the following:

9 a. A person who for any lawful purpose goes armed
10 with a dangerous weapon in the person's own dwelling
11 or place of business, or on land owned or possessed by
12 the person.

13 b. A peace officer, when the officer's duties
14 require the person to carry such weapons.

15 ~~c. A member of the armed forces of the United~~
16 ~~States or of the national guard or person in the~~
17 ~~service of the United States, when the weapons are~~
18 ~~carried in connection with the person's duties as such.~~

19 ~~d. A correctional officer, when the officer's~~
20 ~~duties require, serving under the authority of the Iowa~~
21 ~~department of corrections.~~

22 ~~e.~~ c. A person who for any lawful purpose carries
23 an unloaded pistol, revolver, or other dangerous weapon
24 inside a closed and fastened container or securely
25 wrapped package which is too large to be concealed on
26 the person.

27 ~~f. A person who for any lawful purpose carries or~~
28 ~~transports an unloaded pistol or revolver in a vehicle~~
29 ~~inside a closed and fastened container or securely~~
30 ~~wrapped package which is too large to be concealed on~~
31 ~~the person or inside a cargo or luggage compartment~~
32 ~~where the pistol or revolver will not be readily~~
33 ~~accessible to any person riding in the vehicle or~~
34 ~~common carrier.~~

35 ~~g. A person while the person is lawfully engaged in~~
36 ~~target practice on a range designed for that purpose or~~
37 ~~while actually engaged in lawful hunting.~~

38 ~~h.~~ d. A person who carries a knife used in hunting
39 or fishing, while actually engaged in lawful hunting
40 or fishing.

41 ~~i. A person who has in the person's possession~~
42 ~~and who displays to a peace officer on demand a valid~~
43 ~~permit to carry weapons which has been issued to the~~
44 ~~person, and whose conduct is within the limits of that~~
45 ~~permit. A person shall not be convicted of a violation~~
46 ~~of this section if the person produces at the person's~~
47 ~~trial a permit to carry weapons which was valid at~~
48 ~~the time of the alleged offense and which would have~~
49 ~~brought the person's conduct within this exception if~~
50 ~~the permit had been produced at the time of the alleged~~

1 ~~offense.~~

2 ~~j.~~ e. A law enforcement officer from another state
3 when the officer's duties require the officer to carry
4 the weapon and the officer is in this state for any of
5 the following reasons:

6 (1) The extradition or other lawful removal of a
7 prisoner from this state.

8 (2) Pursuit of a suspect in compliance with chapter
9 806.

10 (3) Activities in the capacity of a law enforcement
11 officer with the knowledge and consent of the chief
12 of police of the city or the sheriff of the county in
13 which the activities occur or of the commissioner of
14 public safety.

15 ~~k.~~ f. A person engaged in the business of
16 transporting prisoners under a contract with the
17 Iowa department of corrections or a county sheriff,
18 a similar agency from another state, or the federal
19 government.

20 Sec. 3. Section 724.4B, subsection 2, paragraph a,
21 Code 2009, is amended to read as follows:

22 a. A person listed under section 724.4, subsection
23 4, ~~paragraphs~~ paragraph "b" through "f", "c", or
24 "j" "e".

25 Sec. 4. Section 724.6, subsection 1, Code
26 Supplement 2009, is amended to read as follows:

27 1. A person ~~may be issued a permit to carry weapons~~
28 ~~when the person's employment~~ who is employed in a
29 private investigation business or private security
30 business licensed under chapter 80A, or a person's
31 employment as a peace officer, correctional officer,
32 security guard, bank messenger or other person
33 transporting property of a value requiring security, or
34 in police work, whose employment reasonably justifies
35 that person going armed, shall be issued a professional
36 permit to carry weapons if the person applies for
37 the permit and meets the requirements of sections
38 724.8 through 724.10. The permit shall be on a form
39 prescribed and published by the commissioner of public
40 safety, shall identify the holder, and shall state
41 the nature of the employment requiring the holder to
42 go armed. A permit so issued, other than to a peace
43 officer, shall authorize the person to whom it is
44 issued to go armed anywhere in the state, ~~only~~ while
45 engaged in the employment, and while going to and from
46 the place of the employment. A permit issued to a
47 certified peace officer shall authorize that peace
48 officer to go armed anywhere in the state at all times.
49 Permits shall expire ~~twelve months~~ five years after the
50 date when issued except that permits issued to peace

1 officers and correctional officers are valid through
2 the officer's period of employment unless otherwise
3 canceled. When the employment is terminated, the
4 holder of the permit shall surrender it to the issuing
5 officer for cancellation.

6 Sec. 5. Section 724.7, Code 2009, is amended to
7 read as follows:

8 724.7 Nonprofessional permit to carry weapons.

9 Any person ~~who can reasonably justify going armed~~
10 ~~may not otherwise prohibited from possessing or~~
11 transporting a firearm and who meets the requirements
12 in sections 724.8 through 724.10 shall be issued a
13 nonprofessional permit to carry weapons if the person
14 applies for such permit. Such permits shall be on a
15 form prescribed and published by the commissioner of
16 public safety, which shall be readily distinguishable
17 from the professional permit, and shall identify the
18 holder thereof, and state the reason for the issuance
19 of the permit, and the limits of the authority granted
20 by such permit. All permits so issued shall be for a
21 definite five-year period as established by the issuing
22 officer, but in no event shall exceed a period of
23 twelve months.

24 Sec. 6. Section 724.8, subsection 5, Code 2009, is
25 amended to read as follows:

26 5. ~~The issuing officer reasonably determines that~~
27 ~~the applicant does not constitute a danger to any~~
28 person person is not otherwise prohibited by state or
29 federal law from possessing or transporting a firearm.

30 Sec. 7. Section 724.9, Code 2009, is amended to
31 read as follows:

32 724.9 Firearm training program.

33 A training program to qualify persons in the safe
34 use of firearms shall be provided by the issuing
35 officer of permits, as provided in section 724.11.
36 ~~The commissioner of public safety shall approve~~
37 ~~the training program, and the county sheriff or~~
38 ~~the commissioner of public safety conducting the~~
39 ~~training program within their respective jurisdictions~~
40 ~~may shall contract with a private organization or~~
41 ~~use the services of other agencies, or may use a~~
42 ~~combination of the two, to provide such training a~~
43 private individual or a professional organization who
44 shall conduct the training consistent with training
45 standards set forth by the national rifle association.
46 Any person eligible to be issued a permit to carry
47 weapons may enroll in such course. A fee sufficient
48 to cover the cost of the program may be charged each
49 person attending. Certificates of completion, on a
50 form prescribed and published by the commissioner

1 of public safety, shall be issued to each person who
2 successfully completes the program. ~~No~~ A person shall
3 not be issued either a professional or nonprofessional
4 permit unless the person has received a certificate of
5 completion or is a certified peace officer. ~~No peace~~
6 ~~officer or correctional officer, except a certified~~
7 ~~peace officer, shall go armed with a pistol or revolver~~
8 ~~unless the officer has received a certificate of~~
9 ~~completion, provided that this requirement shall not~~
10 ~~apply to persons who are employed in this state as~~
11 ~~peace officers on January 1, 1978 until July 1, 1978,~~
12 ~~or to peace officers of other jurisdictions exercising~~
13 ~~their legal duties within this state.~~

14 Sec. 8. Section 724.11, Code 2009, is amended to
15 read as follows:

16 724.11 Issuance of permit to carry weapons.

17 ~~Applications for permits~~ An application for a
18 permit to carry weapons, if made, shall be made to the
19 sheriff of the county in which the applicant resides.
20 Applications from persons who are nonresidents of
21 the state, or whose need to go armed arises out
22 of employment by the state, shall be made to the
23 commissioner of public safety. In either case,
24 the issuance of the permit shall be by ~~and at the~~
25 ~~discretion of~~ the sheriff or commissioner, who
26 shall, before issuing the permit, determine that the
27 requirements of sections ~~724.6 to~~ 724.8 through 724.10
28 have been satisfied and the person is not otherwise
29 prohibited by state or federal law from possessing or
30 transporting a firearm. ~~However, the training program~~
31 ~~requirements in section 724.9 may be waived for renewal~~
32 ~~permits.~~ The issuing officer shall collect a fee
33 of ~~ten~~ fifty dollars, except from a duly appointed
34 peace officer or correctional officer, for each permit
35 issued. Renewal permits or duplicate permits shall be
36 issued for a fee of five dollars. The issuing officer
37 shall notify the commissioner of public safety of the
38 issuance of any permit at least monthly and forward to
39 the commissioner an amount equal to two dollars for
40 each permit issued and one dollar for each renewal
41 or duplicate permit issued. All such fees received
42 by the commissioner shall be paid to the treasurer
43 of state and deposited in the operating account of
44 the department of public safety to offset the cost of
45 administering this chapter. Any unspent balance as of
46 June 30 of each year shall revert to the general fund
47 as provided by section 8.33.

48 Sec. 9. NEW SECTION. 724.11A Reciprocity.

49 A person possessing a valid out-of-state permit to
50 carry a weapon shall be entitled to the privileges and

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1 subject to the restrictions prescribed by this chapter
2 provided the state that issued the license recognizes
3 weapons permits issued in Iowa and provided the person
4 possessing such permit is not otherwise prohibited from
5 possessing a firearm.

6 Sec. 10. REPEAL. Section 724.5, Code 2009, is
7 repealed.>

By SORENSON of Warren

H-8304 FILED MARCH 2, 2010

HOUSE FILE 2446

H-8311

1 Amend the amendment, [H-8282](#), to [House File 2446](#) as
2 follows:

- 3 1. Page 1, after line 17 by inserting:
4 <____. Page 1, line 15, after <stations.> by
5 inserting <The financial assurance instrument shall be
6 adequate enough to cover the cost of cleaning up and
7 removing the unprocessed solid waste.>>
8 2. By renumbering as necessary.

By HORBACH of Tama

H-8311 FILED MARCH 2, 2010

HOUSE FILE 2446

H-8324

- 1 Amend [House File 2446](#) as follows:
2 1. Page 1, line 15, after <stations.> by inserting
3 <The financial assurance instrument shall be adequate
4 enough to cover the cost of cleaning up and removing
5 the unprocessed solid waste.>
6 2. By renumbering as necessary.

By HORBACH of Tama

H-8324 FILED MARCH 2, 2010

H-8305

1 Amend House File 2451 as follows:

2 1. By striking everything after the enacting clause
3 and inserting:

4 <Section 1. Section 135B.9, Code 2009, is amended
5 to read as follows:

6 135B.9 Inspections and qualifications for
7 hospital inspectors -- protection and advocacy agency
8 investigations.

9 1. The department shall make or cause to be made
10 inspections as it deems necessary in order to determine
11 compliance with applicable rules. Hospital inspectors
12 shall meet the following qualifications:

13 a. Be free of conflicts of interest. A hospital
14 inspector shall not participate in an inspection or
15 complaint investigation of a hospital in which the
16 inspector or a member of the inspector's immediate
17 family works or has worked within the last two years.
18 For purposes of this paragraph, "immediate family
19 member" means a spouse; natural or adoptive parent,
20 child, or sibling; or stepparent, stepchild, or
21 stepsibling.

22 b. Complete a yearly conflict of interest
23 disclosure statement.

24 c. Biennially, complete a minimum of ten hours of
25 continuing education pertaining to hospital operations
26 including but not limited to quality and process
27 improvement standards, trauma system standards, and
28 regulatory requirements.

29 2. In the state resource centers and state mental
30 health institutes operated by the department of human
31 services, the designated protection and advocacy
32 agency as provided in section 135C.2, subsection 4,
33 shall have the authority to investigate all complaints
34 of abuse and neglect of persons with developmental
35 disabilities or mental illnesses if the complaints are
36 reported to the protection and advocacy agency or if
37 there is probable cause to believe that the abuse has
38 occurred. Such authority shall include the examination
39 of all records pertaining to the care provided to the
40 residents and contact or interview with any resident,
41 employee, or any other person who might have knowledge
42 about the operation of the institution.

43 Sec. 2. Section 235E.2, subsection 1, paragraph a,
44 Code Supplement 2009, is amended to read as follows:

45 a. The department shall receive and evaluate
46 reports of dependent adult abuse in facilities and
47 programs. The department shall inform the department
48 of human services of such evaluations and dispositions
49 ~~for inclusion in~~ and those individuals who should be
50 placed on the central registry for dependent adult

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1 ~~abuse information~~ pursuant to section ~~235B.5.~~ 235E.7.
2 If the department believes the situation involves
3 an immediate danger to the public health, safety,
4 or welfare requiring immediate agency action to
5 seek emergency placement on the central registry,
6 the department may utilize emergency adjudicative
7 proceedings pursuant to section 17A.18A.

8 Sec. 3. Section 235E.2, subsection 10, Code

9 Supplement 2009, is amended to read as follows:

10 10. The department shall adopt rules which require
11 facilities and programs to separate an alleged
12 dependent adult abuser from a victim following an
13 allegation of perpetration of dependent adult abuse
14 and prior to the completion of an investigation of
15 the allegation. Independent of the department's
16 investigation, the facility or program employing
17 the alleged dependent adult abuser shall conduct an
18 investigation of the alleged dependent adult abuse and
19 determine, what, if any, employment action should be
20 taken including but not limited to placing the alleged
21 dependent adult abuser on administrative leave or
22 reassigning or terminating the alleged dependent adult
23 abuser as a result of the department's investigation.
24 If the facility or program terminates the alleged
25 dependent adult abuser as a result of the department's
26 investigation, the alleged dependent adult abuser shall
27 disclose such termination to any prospective facility
28 or program employer.

29 Sec. 4. Section 235E.2, subsection 12, Code

30 Supplement 2009, is amended to read as follows:

31 12. An inspector of the department may enter any
32 facility or program without a warrant and may examine
33 all records pertaining to residents, employees, former
34 employees, and the alleged dependent adult abuser as
35 long as the inspector informs the person in charge
36 of the facility or program, or the person's designee,
37 that the inspector is investigating an alleged case of
38 dependent adult abuse. If upon entry, the inspector
39 has knowledge of or learns during the course of an
40 investigation that alleged dependent adult abuse is
41 suspected or is being investigated, the inspector
42 shall inform the person in charge that the inspector
43 is investigating an alleged case of dependent adult
44 abuse. An inspector of the department may contact or
45 interview any resident, employee, former employee, or
46 any other person who might have knowledge about the
47 alleged dependent adult abuse. Prior to the interview,
48 the department shall provide written notification to
49 the person under investigation for dependent adult
50 abuse that the person is under investigation for

1 dependent adult abuse, the fact situation and the
2 nature of the abuse being investigated, the possible
3 civil consequences of founded abuse, the requirement
4 that the department forward a report to law enforcement
5 if the department's investigation reveals a potential
6 criminal offense, that the person has the right to
7 retain legal counsel at the person's expense and may
8 choose to have legal counsel, union representation,
9 or any other desired representative employed by
10 the facility present during the interview, and the
11 fact that the person has the right to decline to
12 be interviewed or to terminate an interview at any
13 time. The person under investigation shall inform the
14 department of the representatives desired to be present
15 during the interview and not unreasonably delay the
16 interview to organize their representatives' presence
17 at the interview. An inspector may take or cause to
18 be taken photographs of the dependent adult abuse
19 victim and the vicinity involved. The department shall
20 obtain consent from the dependent adult abuse victim
21 or guardian or other person with a power of attorney
22 over the dependent adult abuse victim prior to taking
23 photographs of the dependent adult abuse victim.

24 Sec. 5. NEW SECTION. 235E.6 Dependent adult abuse
25 finding -- notification to employer and employee.

26 Upon a finding of founded dependent adult abuse
27 by a caretaker, the department shall provide written
28 notification of the department's findings to the
29 caretaker and the caretaker's employer. In addition,
30 the written notification shall detail the consequences
31 of the findings and placement on the dependent adult
32 abuse registry, the caretaker's appeal rights, and
33 include a separate appeal request form. The written
34 appeal request form shall clearly set forth that the
35 caretaker shall not be placed on the dependent adult
36 abuse registry until final agency action is taken if an
37 appeal is filed within fifteen days.

38 Sec. 6. NEW SECTION. 235E.7 Appeal process --
39 dependent adult abuse.

40 1. Upon the department's finding of dependent adult
41 abuse, the caretaker shall file an appeal request with
42 the department within fifteen days of receiving the
43 notification of the finding of abuse. If a request
44 for an appeal is filed within fifteen days of the
45 notification of the finding, the department shall not
46 place the caretaker on the registry until final agency
47 action is taken. For a request for an appeal filed
48 within fifteen days of the notification of the finding,
49 the contested case hearing shall be held within sixty
50 days of the request. The caretaker may extend the

1 hearing timeframe by thirty days one time. Additional
2 requests for an extension must be agreed upon by
3 all parties or for good cause. The department shall
4 issue a determination of final agency action within
5 forty-five days of the contested case hearing. Upon
6 final agency action, further appeal rights shall be
7 governed by chapter 17A.

8 2. If a caretaker fails to request an appeal within
9 fifteen days, the caretaker shall have an additional
10 forty-five days to file an appeal pursuant to chapter
11 17A. However, the caretaker's name shall be placed on
12 the registry pending the outcome of the appeal.

13 3. If the caretaker requests an appeal within
14 fifteen days, the caretaker may waive the expedited
15 hearing under subsection 1 to proceed under chapter
16 17A, but the caretaker's name shall be placed on the
17 registry pending the outcome of the appeal.

18 Sec. 7. STUDY. The legislative council is
19 requested to establish an interim study committee to
20 evaluate due process requirements relating to child
21 abuse and dependent adult abuse under Code chapters
22 235A and 235B. The committee shall issue a report of
23 its recommendations to the general assembly by January
24 15, 2011.>

25 2. Title page, by striking lines 1 through 3 and
26 inserting: <An Act relating to health care facilities
27 and programs, including hospital inspector requirements
28 and dependent adult abuse.>

By HUNTER of Polk

HOUSE FILE 2477

H-8325

1 Amend House File 2477 as follows:
2 1. Page 1, line 33, after <record> by inserting
3 <who furnishes material or performs labor upon a
4 building, erection, or other improvement and>
5 2. Page 2, line 32, after <owner,> by inserting
6 <owner-builder,>
7 3. Page 7, line 19, after <2.> by inserting <a.>
8 4. Page 7, after line 22 by inserting:
9 <b. Except for residential construction property
10 owned by an owner-builder, a mechanic's lien perfected
11 under this chapter is enforceable only to the extent
12 of the balance due the general contractor at the time
13 the owner actually receives the notice sent pursuant
14 to subsection 3.
15 c. In any action to enforce a mechanic's lien
16 perfected under this chapter against the owner,
17 the subcontractor bears the burden to prove by a
18 preponderance of the evidence that the owner actually
19 received notice pursuant to subsection 3.>
20 5. Page 7, line 25, after <rule> by inserting <,
21 including the owner notice described in section 572.13,
22 subsection 1>
23 6. Page 7, line 26, after <owner-builders.> by
24 inserting <For purposes of satisfying the notice
25 requirement in subsection 2, concerning actual receipt
26 of such notice, a subcontractor may provide a separate
27 notice directly to the owner.>
28 7. Page 10, line 24, after <dwelling> by inserting
29 <residential construction>
30 8. Page 12, by striking lines 12 and 13 and
31 inserting:
32 <2. In a court action to challenge a mechanic's
33 lien filed on ~~an owner-occupied dwelling~~ a residential
34 construction property, if the person challenging>
35 9. Page 14, line 26, after <website.> by inserting
36 <The authority shall not charge a filing fee for a
37 preliminary notice required pursuant to this chapter
38 that exceeds the cost of sending such notice by
39 certified mail with restricted delivery and return
40 receipt.>
41 10. Page 14, line 30, after <registry.> by
42 inserting <The authority shall administer the registry
43 on a revenue neutral basis and shall adjust fees on an
44 annual basis to prevent the accumulation of surplus
45 funds.>

By PALMER of Mahaska

H-8325 FILED MARCH 2, 2010

HOUSE FILE 2481

H-8301

1 Amend House File 2481 as follows:

2 1. By striking page 25, line 29, through page 27,
3 line 25.

4 2. By renumbering as necessary.

By SCHULTE of Linn

H-8301 FILED MARCH 2, 2010

H-8307

1 Amend House File 2481 as follows:

2 1. Page 28, after line 15 by inserting:

3 <Sec. _____. ECONOMIC IMPACT OF IOWA'S WHITETAIL
4 POPULATION ON THE STATE ECONOMY -- JOINT STUDY. The
5 department of natural resources and the department
6 of transportation shall conduct a comprehensive
7 study regarding the impact of Iowa's whitetail deer
8 population on the state's economy during a typical
9 year.

10 1. In conducting the study, the departments shall
11 provide a cost-benefit analysis which accounts for all
12 relevant and available data concerning the economic
13 impacts associated with maintaining the current deer
14 population, including all of the following:

15 a. The estimated revenue generated by resident and
16 nonresident deer hunters, including revenue collected
17 by the state from license fees and indirect revenue
18 generated from persons who expend money in this state
19 as a result of hunting. The departments shall not
20 consider the economic revenue associated with hunting
21 preserves under chapter 484B.

22 b. The estimated costs incurred due to traffic
23 collisions caused by deer; damages to private land
24 including but not limited to crop damage; and damage to
25 public land, including damage to habitat.

26 2. The departments shall cooperate with local
27 governments and other state agencies, including but
28 not limited to the department of agriculture and land
29 stewardship, in conducting the study. The departments
30 may also cooperate with the United States department
31 of agriculture, the United States department of
32 transportation, the national highway traffic safety
33 administration, and private organizations, including
34 but not limited to the insurance institute for highway
35 safety, in conducting the study.

36 3. The departments shall prepare a joint report
37 including their findings. The report may include a
38 target whitetail deer population that achieves the best
39 economic value to the state. The departments shall
40 submit the joint report to the governor and general
41 assembly in an electronic format by January 10, 2011.

42 Sec. _____. EFFECTIVE UPON ENACTMENT. The section of
43 this Act requiring a comprehensive study of the impact
44 of Iowa's whitetail deer population on the state's
45 economy, being deemed of immediate importance, takes
46 effect upon enactment.>

47 2. Title page, line 3, by striking <and making
48 penalties applicable> and inserting <making penalties
49 applicable, and including effective date provisions>

By DE BOEF of Keokuk

H-8307 FILED MARCH 2, 2010

H-8313

1 Amend the amendment, H-8300, to House File 2481 as
2 follows:

3 1. Page 1, by striking line 15 and inserting
4 <January 1, 2011.

5 Sec. _____. ECONOMIC IMPACT OF IOWA'S WHITETAIL
6 POPULATION ON THE STATE ECONOMY -- JOINT STUDY. The
7 department of natural resources and the department
8 of transportation shall conduct a comprehensive
9 study regarding the impact of Iowa's whitetail deer
10 population on the state's economy during a typical
11 year.

12 1. In conducting the study, the departments shall
13 provide a cost-benefit analysis which accounts for all
14 relevant and available data concerning the economic
15 impacts associated with maintaining the current deer
16 population, including all of the following:

17 a. The estimated revenue generated by resident and
18 nonresident deer hunters, including revenue collected
19 by the state from license fees and indirect revenue
20 generated from persons who expend money in this state
21 as a result of hunting. The departments shall not
22 consider the economic revenue associated with hunting
23 preserves under chapter 484B.

24 b. The estimated costs incurred due to traffic
25 collisions caused by deer; damages to private land
26 including but not limited to crop damage; and damage to
27 public land, including damage to habitat.

28 2. The departments shall cooperate with local
29 governments and other state agencies, including but
30 not limited to the department of agriculture and land
31 stewardship, in conducting the study. The departments
32 may also cooperate with the United States department
33 of agriculture, the United States department of
34 transportation, the national highway traffic safety
35 administration, and private organizations, including
36 but not limited to the insurance institute for highway
37 safety, in conducting the study.

38 3. The departments shall prepare a joint report
39 including their findings. The report may include a
40 target whitetail deer population that achieves the best
41 economic value to the state. The departments shall
42 submit the joint report to the governor and general
43 assembly in an electronic format by January 10, 2011.

44 Sec. _____. EFFECTIVE UPON ENACTMENT. The section of
45 this Act requiring a comprehensive study of the impact
46 of Iowa's whitetail deer population on the state's
47 economy, being deemed of immediate importance, takes
48 effect upon enactment.>

49 _____. Title page, line 3, by striking <and making
50 penalties applicable> and inserting <making penalties

H-8313

Page 2

1 applicable, and including effective date provisions>>

By DE BOEF of Keokuk

H-8313 FILED MARCH 2, 2010

HOUSE FILE 2481

H-8315

1 Amend House File 2481 as follows:

2 1. By striking page 19, line 4, through page 20,
3 line 13.

4 2. By renumbering as necessary.

By MAY of Dickinson

H-8315 FILED MARCH 2, 2010

HOUSE FILE 2481

H-8322

1 Amend House File 2481 as follows:

2 1. Page 19, after line 3 by inserting:

3 <Sec. _____. NEW SECTION. 456A.14A Law enforcement
4 bureau chief.

5 A person employed as the chief of the law
6 enforcement bureau of the department shall have
7 prior experience as a peace officer employed by the
8 department in the field enforcing the hunting and
9 fishing regulations of the state.>

10 2. Page 28, after line 15 by inserting:

11 <Sec. _____. EFFECTIVE UPON ENACTMENT. The provision
12 of this Act enacting section 456A.14A, being deemed of
13 immediate importance, takes effect upon enactment.>

14 3. Title page, line 3, after <applicable> by
15 inserting <and including effective date provisions>

16 4. By renumbering as necessary.

By WINDSCHITL of Harrison

H-8322 FILED MARCH 2, 2010

HOUSE FILE 2494

H-8314

1 Amend the amendment, H-8298, to House File 2494 as
2 follows:

3 1. Page 1, by striking line 44.

By L. MILLER of Scott

H-8314 FILED MARCH 2, 2010

HOUSE FILE 2494

H-8317

1 Amend the amendment, H-8298, to House File 2494 as
2 follows:

3 1. Page 1, by striking lines 15 through 32 and
4 inserting <inserting <Applicants must specify that
5 the person graduated from a formal education program
6 in midwifery accredited by an agency recognized by
7 the United States department of education and has
8 successfully completed a national certification
9 examination in midwifery.

10 A nurse licensed pursuant to chapter 152, whose
11 license is disciplined in accordance with chapter 147,
12 152, or 272C, shall not be licensed as a lay midwife
13 pursuant to this chapter.

14 In reviewing applications, the board shall request,
15 at the applicant's expense, that the department of
16 public safety perform a criminal history check and
17 the department of human services perform child and
18 dependent adult abuse record checks of the applicant.
19 If an applicant has a criminal record or a record of
20 founded child or dependent adult abuse, the board shall
21 perform an evaluation to determine whether the record
22 warrants denial of licensure. >>

By L. MILLER of Scott

H-8317 FILED MARCH 2, 2010

HOUSE FILE 2494

H-8318

1 Amend the amendment, H-8298, to House File 2494 as
2 follows:

3 1. By striking page 1, line 49, through page 2,
4 line 5, and inserting: <<

5 3. In establishing rules, the board shall reflect
6 the international confederation of midwives' definition
7 of a lay midwife by requiring successful completion of
8 a recognized midwifery educational program, acquisition
9 of the applicable legal requirements for practice,
10 evidence of meeting established midwifery competencies
11 that are in accord with a defined scope of practice
12 corresponding to the components and the extent of
13 coursework and supervised clinical education completed,
14 and successful completion of a national certification
15 examination in midwifery. >>

By L. MILLER of Scott

H-8318 FILED MARCH 2, 2010

HOUSE FILE 2494

H-8319

1 Amend House File 2494 as follows:

2 1. Page 3, line 23, after <chapter.> by inserting
3 <As a condition of licensure a midwife shall file with
4 the board a copy of a current written arrangement with
5 an emergency health care facility to provide emergency
6 medical care if it is needed during delivery.>

7 2. Page 4, line 19, after <education> by inserting
8 <or recertification>

By L. MILLER of Scott

H-8319 FILED MARCH 2, 2010

HOUSE FILE 2494

H-8320

1 Amend the amendment, H-8298, to House File 2494 as
2 follows:

3 1. Page 1, by striking lines 15 through 23 and
4 inserting <inserting <Applicants must successfully
5 complete a formal education program in midwifery
6 accredited by an agency recognized by the United States
7 department of education, pass a national certification
8 examination in midwifery as specified by the board,
9 and meet the International confederation of midwives'
10 definition of an independent provider of health care
11 services to women and newborns. If an applicant
12 has been subject to prior revocation of a license to
13 practice medicine or nursing, the applicant is not
14 eligible for licensure under this chapter, unless the
15 applicant makes a satisfactory appeal to the board.>

By L. MILLER of Scott

H-8320 FILED MARCH 2, 2010

HOUSE FILE 2494

H-8321

1 Amend the amendment, H-8298, to House File 2494 as
2 follows:

3 1. Page 1, by striking lines 10 and 11 and
4 inserting:

5 <____. Page 3, by striking lines 20 through 32 and
6 inserting:

7 <Sec. _____. NEW SECTION. 148F.2 Licensure -- lay
8 midwifery.

9 1. Beginning July 1, 2012, every person practicing
10 lay midwifery in this state shall be licensed pursuant
11 to this chapter. The board shall adopt rules pursuant
12 to chapters 17A, 147, and 272C establishing procedures
13 for the licensing of new and practicing lay midwives.
14 Prior to obtaining licensure, an applicant shall
15 successfully graduate from an educational program
16 accredited by the midwifery education accreditation
17 council (MEAC) or successor organization and pass
18 a national recognized examination demonstrating
19 competencies. Additionally a licensed lay midwife
20 must show evidence of current adult and neonatal
21 resuscitation program certification. The board
22 of lay midwives shall consult with the board of
23 pharmacy to develop joint rules for administration
24 of pharmaceuticals to assure pharmacy education and
25 clinical experience with intravenous fluids.
26 2. Reciprocity shall be extended only to midwives
27 who have met the requirements for a formal education
28 program in midwifery accredited by an agency recognized
29 by the United States department of education and
30 provide evidence of meeting established midwifery
31 competencies that are in accord with a defined scope
32 of practice corresponding to the components and
33 extent of coursework and supervised clinical education
34 completed. >>

35 2. By renumbering as necessary.

By L. MILLER of Scott

H-8321 FILED MARCH 2, 2010

HOUSE FILE 2495

H-8303

1 Amend House File 2495 as follows:
2 1. By striking everything after the enacting clause
3 and inserting:
4 <Section 1. SOLEMNIZATION OF MARRIAGES. In
5 addition to the individuals specified to solemnize
6 marriages pursuant to section 595.10, subsection 1,
7 a retired supreme court justice, a retired court of
8 appeals judge, a retired district court judge, or a
9 retired judicial magistrate may solemnize a marriage.
10 This section is repealed June 30, 2010.
11 Sec. 2. EFFECTIVE UPON ENACTMENT. This Act, being
12 deemed of immediate importance, takes effect upon
13 enactment.>
14 2. Title page, line 2, after <date> by inserting
15 <and future repeal>

By ANDERSON of Page
SWAIM of Davis

H-8303 FILED MARCH 2, 2010

SENATE FILE 2200

H-8316

1 Amend Senate File 2200, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 2, line 26, by striking <If> and inserting
4 <Unless the child or guardian dies or other exceptional
5 circumstances arise, if>
6 COMMITTEE ON JUDICIARY
7 SWAIM of Davis, Chairperson

H-8316 FILED MARCH 2, 2010

SENATE FILE 2224

H-8308

1 Amend Senate File 2224, as passed by the Senate, as
2 follows:
3 1. Page 1, line 15, after <places.> by inserting
4 <Any action taken by a board of administration at a
5 meeting that is in violation of any of the provisions
6 of this subsection is not valid or enforceable.>
7 By ISENHART of Dubuque

H-8308 FILED MARCH 2, 2010

SENATE FILE 2235

H-8310

1 Amend Senate File 2235, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 3, line 4, by striking <purposes> and
4 inserting <purposes, other than electricity or natural
5 gas sold by a public utility furnishing electricity or
6 natural gas to the public for consumption pursuant to
7 chapter 476>

By REICHERT of Muscatine

H-8310 FILED MARCH 2, 2010

SENATE FILE 2288

H-8309

1 Amend Senate File 2288, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 5, after line 7 by inserting:
4 <Sec. _____. Section 256C.4, subsection 1, paragraph
5 b, Code 2009, is amended to read as follows:
6 b. A school district approved to participate in
7 the preschool program may authorize expenditures
8 for the district's preschool programming from any of
9 the revenue sources available to the district from
10 the sources listed in chapter 298A, provided the
11 expenditures are within the uses permitted for the
12 revenue source. In addition, the use of the revenue
13 source for preschool or prekindergarten programming
14 must have been approved prior to any expenditure
15 from the revenue source for the district's approved
16 local program. Notwithstanding any provision of law
17 to the contrary, a school district shall not levy a
18 tax to raise an amount to restore state preschool
19 foundation aid funding reduced by a uniform reduction
20 in accordance with section 8.31.>
21 2. By renumbering as necessary.

By TYMESON of Madison

H-8309 FILED MARCH 2, 2010

SENATE FILE 2317

H-8312

1 Amend Senate File 2317, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 2, line 5, after <authority.> by inserting
4 <A watershed management authority shall not acquire
5 property by eminent domain.>

COMMITTEE ON REBUILD IOWA AND DISASTER RECOVERY
SCHUELLER of Jackson

H-8312 FILED MARCH 2, 2010